

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Dale Neidhardt, and all others similarly)
situated,)
)
Plaintiff,) **ORDER RE MOTION TO LIFT
STAY**
)
vs.)
)
Midcontinent Communications)
Investors, LLC; and TCI)
Midcontinent LLC, doing business as)
Midcontinent Communications,)
)
Defendants.) **Case No. 1:09-cv-078**

On November 2, 2010, the Court entered an order granting in part and denying in part defendants' Motion to Stay the Proceedings. The order provided that the above-entitled action would be stayed for ninety (90) days and return the Court's active docket on January 31, 2011.

On January 21, 2011, defendants filed a Motion for Order Lifting Stay on Proceedings, advising that the stay was no longer necessary and that this action could immediately return to the Court's active docket.

Defendants' motion (Docket No. 34) is **MOOT** as the stay ordered by the Court expired on January 31, 2011. This matter shall be returned to the Court's active docket.

IT IS SO ORDERED.

Dated this 2nd day of February, 2011.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge